

In the face of this and the other aspects of the law that are not ready—many of them by the President's own admission—if the administration goes ahead with this law anyway, we know ObamaCare will be implemented in a manner that is manifestly unfair and that is likely to harm hard-working Americans. Big business, unions, and other special interests may well all receive special treatment under ObamaCare while the rest of the country will be forced into ObamaCare's unfair, unworkable, and fundamentally unsound system.

We know the law is unaffordable. We know it will be bad for the economy. At a time when we are running annual deficits approaching \$1 trillion, ObamaCare is going to cost roughly \$2 trillion over the next 10 years. The law is forcing employers to shed workers, cut back hours, and stop providing health insurance for employees. And we know it is not going to work. The Congressional Budget Office recently concluded that after 10 years of ObamaCare, 31 million Americans will still lack health insurance.

We understand these are inconvenient facts for the President and for Members of this body who still support this law. But those are the facts, and we have a responsibility to do something about it.

How many more people will have to lose their jobs, wages, and health care benefits before Congress acts? How many more States will have to announce that premiums are going up before we do something to protect the country? If the President won't act to protect the American people from this law and its harmful effects, Congress should.

Last Friday a unified Republican House showed tremendous courage in enacting legislation, knowing full well what the media would say, what the President would say, and what Democrats on both sides of the Capitol would say. Two hundred twenty-eight Republicans responded to the will of the American people and overwhelmingly passed a bill that would fund government and protect the country from ObamaCare. Only one party has voted to fund the government. Only one party has voted to avoid a government shutdown. Right now the ball is in the Senate's court.

Once the ball has reached the Senate, as has now happened, the Senate can respond in one of several ways. Basically, I see three options on the table, two of which are perfectly appropriate, one of which is unacceptable.

The first option would be for this body, under the leadership of our majority leader, to take a vote on the House-passed continuing resolution—the House-passed continuing resolution that keeps government funded but defunds ObamaCare—and to give that an up-or-down vote, to vote on that bill, as is, without any modification.

The second approach would be to open it for an open amendment process,

to allow us to debate and discuss and consider amendments on the House-passed bill as each individual Senator might deem appropriate for this body to consider.

Both of these first two options are appropriate. Both of these first two options are understandable and acceptable under the totality of the circumstances. Some might naturally lean toward the first option, moving quickly to consideration of the House-passed bill in an as-is condition, given the fact that we are T-minus 7 days and a few hours until the existing continuing resolution expires on midnight of next Monday night. We are a little over 7 days before that continuing resolution expires. So under those circumstances many of us might suggest the best option might be to take that first approach, for the Senate to open this for a vote on the House-passed continuing resolution in as-is condition.

But if this body doesn't want to do that, if it wants to amend the House-passed continuing resolution, it would still be appropriate for us to have an amendment process. But that needs to be an open amendment process, one that is appropriate for this body—a body that many have described as the world's greatest deliberative body. If in fact it is great and deliberative, if in fact we want to continue this tradition, then we need to have an open amendment process when amendments are considered.

The third option I referred to, the option I would consider unacceptable, would be an option in which the majority leader would use a procedural trick to allow the majority party to gut the House-passed continuing resolution, removing its single most significant provision without allowing even consideration of one single additional amendment. This is not OK.

What I am saying is we need to either pass the bill as is—pass it or don't pass it—or we need to open the amendment process so all Members of this body have the opportunity to introduce and vote on amendments as each individual Senator deems appropriate. Those are the only two acceptable options.

It would not be an acceptable option if the majority leader were to decide to use a procedural trick to allow only one amendment—an amendment that would gut the House-passed continuing resolution and effectively negate its single most distinguishing provision.

The question that leaves us with is that once this bill comes up in this body, will we as Senators be courageous? Will we do the right thing for the American people or will Senate Democrats threaten to shut down the government in order to protect an ill-conceived, unworkable, unaffordable, and fundamentally unfair law?

There is no doubt that many voices will say we can't win this fight, but I am not so sure. Two months ago these same voices said we could not and would not get this far. They said this

effort would amount to bad politics. They said this simply would not work in the Congress as it exists in 2013. And they were wrong. They were wrong because what the House of Representatives passed on Friday is what the American people have been demanding, and they have been demanding it overwhelmingly. They have demanded that Congress act to keep the government open and functioning while protecting the American people from the harmful, potentially devastating effects of ObamaCare. That is why I believe we can win.

The Senate majority may have the upper hand, but the American people will and always must have the last word.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 195, H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

Harry Reid, Barbara A. Mikulski, Carl Levin, Patrick J. Leahy, Elizabeth Warren, Charles E. Schumer, Richard J. Durbin, Christopher A. Coons, Christopher Murphy, Edward J. Markey, Patty Murray, Tim Kaine, John D. Rockefeller IV, Bill Nelson, Angus S. King, Jr., Benjamin L. Cardin, Kirsten E. Gillibrand.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

20TH ANNIVERSARY OF AMERICORPS

Mr. DURBIN. Mr. President, I rise today to recognize volunteers doing extraordinary service to our country.